

EXPRESS MAIL NO. EL615207674US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas M. BRENNAN

Application Serial No. To be Assigned

Filed: Herewith

For: **METHOD AND APPARATUS FOR
CONDUCTING AN ARRAY OF
CHEMICAL REACTIONS ON A
SUPPORT SURFACE**

Art Unit: To be Assigned

Examiner: To be Assigned

Attorney's Docket No. 05871.0002.CNUS05



INFORMATION DISCLOSURE STATEMENT

Box Patent Application

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

- 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required.
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
 - ☐ c. Attached is our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered. Attached is our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(i).
 - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R.

§ 1.56(c) more than three months prior to the filing of this Information
Disclosure Statement. 37 C.F.R. § 1.97(e)(2).


- ☐ 4. Relevance of the non-English language document(s) is discussed in the present specification.
- ☐ 5. The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☒ 7. The Examiner's attention is directed to co-pending U.S. Patent Application Serial No. 09/314,456, filed May 18, 1999, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☒ 8. Copies of the documents (**except U.S. Patent No. 5,744,305**) were cited by or submitted to the Office in U.S. Patent Application Serial No. 09/314,456, filed May 18, 1999, which is relied upon for an earlier filing date under 35 S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038.

Respectfully submitted,

Date: November 16, 2000


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FORM PTO-1449
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 0871.0002.CNUS05

APPLICATION NO. To be Assigned

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FILING DATE* Herewith

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U.S. PATENT DOCUMENTS

EXAMINER INITIALS	REF. NO.	DOCUMENT NUMBER	GRANT DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	3,736,042	5/29/73	Markozits, et al.			
	AB1	5,063,081	11/5/91	Cozzette, et al.			
	AC1	5,143,854	9/1/92	Pirrung, et al.			
	AD1	5,252,743	10/12/93	Barrett, et al.			
	AE1	5,412,087	5/2/95	McGall, et al.			
	AF1	5,424,186	6/13/95	Fodor, et al.			
	AG1	5,445,934	8/29/95	Fodor, et al.			
	AH1	5,449,754	9/12/95	Nishioka			
	AI1	5,474,796	12/12/95	Brennan			
	AJ1	5,510,270	4/23/96	Fodor, et al.			
	AK1	4,705,705	11/10/87	Bross			
	AL1	5,700,637	12/23/97	Southern			
	AM1	6,054,270	4/25/00	Southern			
	AN1	5,744,305	4/28/98	Fodor et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS	REF. NO.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AO1	0 161 058 A1	11/13/85	Europe			Yes No
	AP1	373203	8/31/94	Europe			Yes No
	AQ1	WO 90/15070	12/13/90	PCT			Yes No
	AR1	WO 90/03382	4/5/90	PCT			Yes No
	AS1	WO 89/19866	11/16/89	PCT			Yes No

EXAMINER INITIALS	REF. NO.	OTHER (Including Author, Title, Date, Pertinent Pages, etc.)
	AT 1	Fodor, et al., Light-Directed, Spatially Addressable Parallel chemical Synthesis, <u>Science</u> 251:767-773 (1991)
	AU 1	Ramirez, Levy, Ringold, Rosenkranz, Wiley, Esterie, Bailey, and Mintha <u>J. Organic Chemistry</u> 21:1333-1335 (1956)
	AV 1	Khrapko, et al. An Oligonucleotide by Hybridization Approach to DNA Sequencing, <u>FEBS Letters</u> 256:118-122 (1989)
	AW 1	Drmanac, et al., Sequencing of Megabase Plus DNA by Hybridization Theory of the Method, <u>Genomic</u> 4:114-128 (1989)
	AX 1	Geysen, et al., Strategies for Epitope Analysis Using Peptide Synthesis, <u>J. Immunol. Methods</u> 102:259-274 (1987)
	AY 1	Southern and Maskos, Support-bound Oligonucleotides, <u>Chem Abst.</u> - Abstract No. 152979r, 113:152984 (1990)
	AZ 1	Mandenius, et al., Reversible and Specific Interaction of Dehydrogenases with a Coenzyme-Coated Surface Continuously Monitored with a Reflectometer, <u>Anal. Biochem.</u> 157:283-288 (1986)
	AA 1	Southern and Maskos, Analysing Nucleic Acids by Hybridisation of Oligonucleotides: Analysis of Mutations, Abstracts of papers presented at the 1991 meeting fo Genome Happing and Sequencing, Cold Spring Harbor Laboratory, Cold Spring Harbor, N.Y. (1991)
	AB 1	Froehler, et al., Synthesis of DNA via Deoxynucleoside H-phosphonate Intermediates, <u>Nuc. Acids Res.</u> 14:5399-5407 (1986)
	AC 1	Kyser, et al., Design of an Impulse Ink Jet, <u>J. Applied Photographic Engineering</u> 7:73-79 (1981)
	AD 1	Drmanac, et al., Reliable Hybridization of Oligonucleotides as Short as Six Nucleotides, <u>DNA an Cell Biology</u> 2:527-534 (1990)
	AE 1	McGraw, et al., Sequence-Dependent Oligonucleotide-Target Duplex Stabilities: Rules from Empirical Studes with a Set of Twenty-Mers, <u>Biotechniques</u> 8:674-678 (1990)
	AF 2	Wood, et al., Base Composition-Independent Hybridization in Tetramethylammonium Chloride: A Method for Oligonucleotide Screening of Highly Complex Gene Libraries, <u>PNAS USA</u> 82:1585-1588 (1985)

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